

STAAS



HALSEY LLP

Intellectual Property Attorneys

700 Eleventh Street, N.W.

Suite 500

Washington, D.C. 20001

X9  
MATCH & RETURN

Partners

Harry John Staas

David M. Pitcher

John C. Garvey

J. Randall Beckers

William F. Herbert

Richard A. Gollhofer

Mark J. Henry

Paul I. Kravetz

Gene M. Garner II

Michael D. Stein

Senior Counsel

James D. Halsey, Jr.

Associates

Jon H. Muskin\*

Stephen T. Boughner\*

C. Joan Gilsdorf

Mehdi Sheikerz\*

John H. Stowe\*

James G. McEwen\*

Michael J. Badagliacca\*

Alicia M. Choi \*

James T. Strom\*

Eric Berkowitz\*

Patrick J. Stanzione

Charles Y. Park

Matthew Q. Ammon\*

David E. Weslow\*

Darleen J. Stockley\*

Kevin J. McNeely

Reg. Patent Agents

Derrick L. Fields

Seungman Kim

November 12, 2002

**Via Courier – Hand Delivery**

Ms. Toni Hood  
Reed Technology Information Service  
3443 Carlin Springs Road  
Falls Church, VA 22041

Re: U.S. Patent Application  
Serial No.: 09/414,547  
For: SERVICE POINT MANAGEMENT SYSTEM FOR USE IN SALES  
PROMOTION SERVICES  
Inventor(s): Tokimori TOMITA et al.  
Your Reference: FJ-A226-US-2  
Our Docket: 122.1046CD

Dear Ms. Hood:

Thank you for your telephone call of November 7, 2002, at which time you advised that the Request for Continuation Application (RCE) filed on June 14, 2001 was misplaced by the USPTO and, therefore, has not been entered and/or placed in the file.

In accordance with your request, please find enclosed a complete copy of the documents filed on June 14, 2001, which include:

1. Request for Continuation Application;
2. Communication to the Examiner and Request for Acknowledgement of Claim for Priority ... (w/ 2 attachments);
3. IDS/Form PTO 1449 (w/ 3 references) and Attachment 1(f);
4. Letter to the Official Draftsperson to Submit Formal Drawings (54 Sheets, Figs. 1-31);
5. Copy of the PTO date stamped postcard showing that the documents enumerated above were received by the Office on June 14, 2001.

Please do not hesitate to contact us if you have any questions.

Very truly yours,

J. Randall Beckers

RECEIVED  
Publishing Division

NOV 13 2002

GMG/JRB:ytr  
Enclosures

\*limited to matters and proceedings before federal courts and agencies, including the U.S. Patent and Trademark Office

Please Date Stamp and return

Request for Continuation Application; Communication to the Examiner and Request for Acknowledgement of Claim for Priority ... (w/ 2 attachments); IDS/Form PTO-1449 (w/ 3 references) and Attachment 1f; Letter to the Official Draftsperson to Submit Formal Drawings (54 Sheets, Figs. 1-31); Check \$710.00

APPLICANT(S): Tokimori TOMITA et al.

SERIAL NO: 09/414,547

CONFIRMATION NO.

TITLE: SERVICE POINT MANAGEMENT SYSTEM FOR USE IN SALES  
PROMOTION SERVICES

FILING DATE: October 8, 1999

DOCKET NO: 122.1046CD/GMG:ytr

DUE DATE: June 14, 2001



(21)

# REQUEST FOR CONTINUED EXAMINATION (RCE)

## TRANSMITTAL

**(INCLUDING FILING FEE AND/OR PETITION FOR  
EXTENSION OF TIME FEE)**

*Subsection (b) of 35 U.S.C. §132, effective May 29, 2000  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.*

*See The American Inventors Protection Act of 1999 (AIPA)*

To: <b>Assistant Commissioner for Patents Box CPA Washington, DC 20231</b>	Attorney Docket No.:122.1046CD		
First Named Inventor	Tokimori TOMITA et al.		
Application No.	09/414,547	Group Art Unit	2164
Filing Date	October 8, 1999	Examiner	Akers, G.
CPA Filing Date		Confirmation No	
Title of Invention	SERVICE POINT MANAGEMENT SYSTEM FOR USE IN SALES PROMOTION SERVICES		

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

**NOTE:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.

**Submission required under 37 C.F.R. §1.114 (Box a or b must be completed)**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other : (1) Communication to the Examiner and Request for Acknowledgement of Claim for Priority and Receipt of Certified Copy of Priority Document  
(2) Letter to the Official Draftsperson to Submit Formal Drawings (54 Sheets, Figs. 1-31)

2.

**Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).
- b.  Other

	BASIC FEE	\$	710.00
Since an Official Action set an original due date of June 14, 2001, petition is hereby made for an extension of time to cover the date this RCE is filed, for which the requisite fee is enclosed (1 month (\$110); 2 months (\$390); 3 months (\$890); 4 months (\$1,390); 5 months (\$1,890));		+	
Suspension Fee (\$130.00)			
Total of above Calculations =		\$	710.00
Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28).			
TOTAL FEES DUE =		\$	710.00

4.  Small entity status:  
 a.  Verified Statement Claiming Small Entity Status.  
 b.  A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired.  
 c.  is no longer claimed.
5.  Other:

#### 6. METHOD OF PAYMENT

- A check in the amount of \$ \$710.00 is enclosed.  
 Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.)

#### 7. GENERAL AUTHORIZATION

- The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to:  
**Deposit Account No. 19-3935.**

#### 8. CORRESPONDENCE ADDRESS

STAAS & HALSEY LLP



21171

PATENT TRADEMARK OFFICE

#### 9. SIGNATURE OF ATTORNEY OR AGENT REQUIRED

NAME	Gene M. Garner II	REGISTRATION NO.	34,172
SIGNATURE		DATE	June 14, 2001

Docket No.: 122.1046CD

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Tokimori TOMITA et al.

: Group Art Unit: 2765

Serial No. 09/414,547

Filed: October 8, 1999

: Examiner: Akers, G.

For: **SERVICE POINT MANAGEMENT SYSTEM FOR USE IN SALE S PROMOTION SERVICES**

**COMMUNICATION TO THE EXAMINER**

**AND**

**REQUEST FOR ACKNOWLEDGEMENT OF CLAIM FOR PRIORITY AND RECEIPT  
OF CERTIFIED COPY OF PRIORITY DOCUMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

A Notice of Allowance and Issue Fee Due, and accompanying Notice of Allowability, was mailed March 14, 2001, requiring payment of the Issue Fee by June 14, 2001. The Issue Fee has not been paid. Therefore, this Communication and Request is timely filed.

The subject application is a divisional of prior (parent) application U.S. Serial No. 08/864,762, filed May 29, 1997, which is a Continuation of (grandparent) application U.S. Serial No. 08/187,543, filed January 28, 1994.

In the subject application, the Examiner has not acknowledged the claim for the benefit of priority under 35 U.S.C. 119 asserted October 8, 1999 or receipt of the certified copy of the priority document filed in U.S. Serial No. 08/187,543, to which the above-mentioned application claims the benefit of priority under 35 U.S.C. 120.

By way of background, a Certified Copy of Japanese Patent Application No. 5-82905 (filed April 9, 1993 in Japan) was filed in the U.S. Patent Office January 28, 1994. Acknowledgement of the claim for priority under 35 U.S.C. and receipt of the Certified Copy of the priority document (Japanese Patent Application No. 5-82905) was acknowledged in Office Action mailed July 20, 1995 in U.S. Serial No. 08/187,543.

Copies of the Submission of Certified Copy of Prior Foreign Application in Accordance with the Requirements of 37 C.F.R. 1.55 (filed January 28, 1994), the first page of the Certified Copy of Japanese Patent Application No. 5-82905, and the post card date-stamped by the U.S. Patent Office as received January 28, 1994 in the grandparent application; and Continuing (1.53(b)) Utility Patent Application Transmittal (filed October 8, 1999, and in which the claim for priority under 35 U.S.C. 119 is asserted) and the post card date-stamped by the U.S. Patent Office as received October 8, 1999 in the subject application.

Accordingly, the Examiner is respectfully requested to prepare and mail a Communication acknowledging the claim for the benefit of priority under 35 U.S.C. 119 asserted October 8, 1999 and receipt of the certified copy of the priority document filed in U.S. Serial No. 08/187,543, to which the above-mentioned application claims the benefit of priority under 35 U.S.C. 120.

Respectfully submitted,  
STAAS & HALSEY LLP

By:

  
Gene M. Garner, II  
Registration No. 34,172

700 Eleventh Street, NW  
Suite 500  
Washington, D.C. 20001  
(202) 434-1500  
Date: June 14, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tokimori TOMITA et al.

Group Art Unit:

Serial No.:

Examiner:

Filed: January 28, 1994

For: SERVICE POINT MANAGEMENT SYSTEM  
FOR USE IN SALES PROMOTION  
SERVICES

SUBMISSION OF CERTIFIED COPY OF PRIOR  
FOREIGN APPLICATION IN ACCORDANCE WITH  
THE REQUIREMENTS OF 37 C.F.R. § 1.55

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

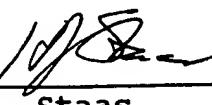
In accordance with the provisions of 37 C.F.R. § 1.55, the applicants submit herewith a certified copy of the following foreign application:

- (1) Japanese Patent Application No. 5-82905  
Filed: April 9, 1993

It is respectfully requested that the applicants be given the benefit of the foreign filing date, as evidenced by the certified papers attached hereto, in accordance with the requirements of 37 C.F.R. § 119.

Respectfully submitted,

STAAS & HALSEY

By: 

H. J. Staas  
Registration No. 22,010

1825 K Street, N.W.  
Washington, D.C. 20006  
202/872-0123

Date: January 28, 1994

日本国特許庁

PATENT OFFICE  
JAPANESE GOVERNMENT

別紙添付の書類に記載されている事項は下記の出願書類に記載されて  
事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed  
this Office.

願年月日

Date of Application: 1993年 4月 9日

願番号

Application Number: 平成 5年特許願第082905号

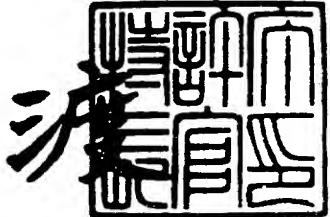
願人

Applicant(s): 富士通株式会社

1993年12月17日

特許庁長官  
Commissioner,  
Patent Office

麻生



出証番号 出証特平 5-3028064

08/187543

Please return this card, indicating receipt date and Serial No., if applicable, of the following

**Filing of Application w/54 sheets of formal  
drawings, Assignment, Declaration, Priority  
Document, Preliminary Amendment and check for  
\$1,168.00**

Applicant(s): **Tokimori TOMITA et al.**

Title: **SERVICE POINT MANAGEMENT SYSTEM FOR USE IN  
SALES PROMOTION SERVICES**  
Serial No.:

Filing Date: **January 28, 1994**

Docket No.: **122.1046/HJS**

Due Date: **January 31, 1994**

**CONTINUING  
(1.53(b)) UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

*(Only for continuing applications under 37 CFR 1.53(b))*

Attorney Docket No. 122.1046-D\GMG

First Named Inventor: Tokimori TOMITA et al.

Title: SERVICE POINT MANAGEMENT SYSTEM FOR USE IN SALES PROMOTION SERVICES

Express Mail Label No.

**APPLICATION ELEMENTS**

*See MPEP chapter 600 concerning utility patent application contents.*

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1.  Fee Transmittal Form
2.  Specification, Claims & Abstract .... [ Total Pages: 52 ]
3.  Drawing(s) (35 USC 113) ..... [ Total Sheets: 54 ]
4.  Oath or Declaration ..... [ Total Pages: 2 ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d)) (see Box 18)
5.  This application is filed by fewer than all the inventors named in the prior nonprovisional application.
  - a.  DELETE the following inventor(s) named in the prior nonprovisional application:
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
6.  Incorporation by Reference (usable if Box 4b is checked)
 

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7.  Microfiche Computer Program (Appendix)
8.  Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
  - a.  Computer Readable Copy
  - b.  Paper Copy (identical to computer copy)
  - c.  Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Copy of Assignment Papers as filed in Parent (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement (*when there is an assignee*)  Power of Attorney
11.  English Translation Document (*if applicable*)
12.  Foreign priority benefit under 35 U.S.C. §119 is claimed.
  - a.  Certified Copy of Priority Document(s) filed in prior application No. 08/187,543.
  - b.  Certified Copy of Priority Document(s) enclosed.
  - c.  Certified Copy of Priority Document(s) to follow.
13.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
14.  Preliminary Amendment
  - a.  enclosed herewith.
  - b.  incorporated herein (see Box 18).
15.  Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
16.  Small Entity Statement(s)  Statement filed in prior application, status still proper and desired.
17.  Other: Letter Requesting Approval of Changes to the Drawings and Figures 1, 2, 8(A), 8(B), 10(A), 10(B), 11(A), 11(B), 12(A), 12(B), 13(A), 13(B), 14(A), 14(B), 15(A), 15(B), 16(A), 16(B), 17(A), 17(B), 18(A), 18(B), 19(A), 19(B), 20, 21(A), 21(B), 22(A), 23, 25(A), 26(A), 27(A), 28(A), 29(A), 29(B), and 31

**18. CONTINUING APPLICATION**, check appropriate box and supply the requisite information below:

[ ] Continuation [X] Divisional [ ] Continuation-in-part (CIP) of prior application No: 08/864,762

Prior application information: Examiner: TKACS, S.

Group/Art Unit: 2761

\* \* \*

**Preliminary Amendment:**

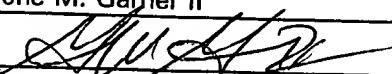
- [X] Cancel in this application original claims 10, 12, 17, 18, 24-26, 28-30, 32-35 and 37 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- [X] Amend the specification by inserting before the first line the sentence:  
--This application is a Divisional of application number 08/864,762, filed May 29, 1997, now pending which is a Continuation of application number 08/187,543, now abandoned.--

**19. NEW CORRESPONDENCE ADDRESS \* CUSTOMER NO. 21,171**

STAAS & HALSEY LLP  
700 Eleventh Street, N.W.  
Suite 500  
Washington, DC 20001

Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

**20. SIGNATURE OF ATTORNEY OR AGENT**

NAME	Gene M. Garner II	REGISTRATION NO.	34,172
SIGNATURE		DATE	<u>Oct 8, 1999</u>

© 1998 Staas & Halsey

[Page 2 of 2]

Please return this card, indicating receipt date and Serial No., if applicable, of the following  
DIV. APPL. TRANSMITTAL; COPY OF SPEC. CLMS., ABST. (52 PGS); DRWGS. (54 SHEETS);  
REQ. FOR APPR. OF CHANGES TO DRAWINGS W/RED INK CORRECTED DRAWINGS; CCPY OF  
ASSI. W/CQVER; COPY OF DECL.; COPY OF PRI. DOC. COVER; IDS; PTO-1449; 1 REF.;  
CHECK \$ 1,810.00

Applicant(s): Tokimori TOMITA et al.  
Title: SERVICE POINT MANAGEMENT SYSTEM FOR USE IN SALES  
PROMOTION SERVICES  
Serial No.: Div. of 08/864,762 Jc598 U.S. PTO  
Filing Date: October 8, 1999 09/414547  
Docket No.: 122.1046-D\GMG 10/08/99  
Due Date: